

Application No. 09/914,708

Reply to Office Action

*REMARKS/ARGUMENTS***RECEIVED
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JUL 03 2007***The Pending Claims*

Claims 1, 3, 4, 6-12, and 15 are currently pending and are directed to a method of treating osteoporosis by the inhibition of vacuolar-type (H⁺)-ATPase.

Summary of the Title and Claim Amendments

The title has been amended to comport better with the claimed subject matter.

Claims 1 and 6 have been amended to recite a method of treating osteoporosis by the inhibition of vacuolar-type (H⁺)-ATPase. Claim 1 also has been amended to add the phrase "of formula (I)," as supported by the specification at, for example, page 9, line 22, through page 10, line 25 and particularly page 10, lines 13-17. Claims 1 and 3 have been amended to clarify that any one of the recited alkyl or aryl substituents is unsubstituted or substituted. Claims 13, 14, 16, 17, 32, and 33 have been canceled without prejudice as directed to non-elected subject matter. In view of the cancellation of claim 14, the dependency of claim 15 has been amended. Claims 2, 5, and 18-31 had been canceled previously.

No new matter has been added by way of these amendments.

Summary of the Office Action

The restriction requirement has been maintained. Claims 1, 3, 4, 6-12, and 15 have been objected to. Claims 3 and 4 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Reconsideration of the pending claims is respectfully requested.

Discussion of the Restriction Requirement

The Examiner has maintained the restriction requirement. In accordance with the elected subject matter, claims 13, 14, 16, 17, 32, and 33 have been canceled without prejudice. Claims 1 and 6, and claims 3, 4, 7-12, and 15 dependent thereon, have been amended to recite elected subject matter.

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Discussion of the Claim Objections

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Claims 1, 3, 4, and 6-12 have been objected to for containing non-elected subject matter. As discussed above, the pending claims have been amended to recite a method of treating osteoporosis by the inhibition of vacuolar-type (H⁺)-ATPase.

Claim 15 has been objected to for depending on a withdrawn claim. Claim 14 has been canceled, and claim 15 has been amended to depend on claim 1.

In view of the foregoing, the claim objections have been overcome.

Discussion of the Indefiniteness Rejection

The Examiner contends that claims 3 and 4 are indefinite because the definition of the substituents on the aromatic ring of formula (I) allegedly lack antecedent basis. Claim 1 has been amended to add the phrase "of formula (I)" to clarify that the aromatic ring of formula (I) can be optionally substituted. The amendment to claim 1 is fully supported by the specification as discussed above. As amended claim 1 provides the proper antecedent basis for the corresponding clause in claims 3 and 4, the indefiniteness rejection of claims 3 and 4 has been overcome and should be withdrawn.

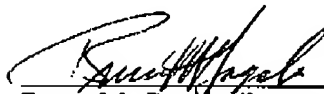
Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

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